

Form NLRB - 501 (2-08)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
CHARGE AGAINST EMPLOYER

INSTRUCTIONS:

DO NOT WRITE IN THIS SPACE	
Case	Date Filed
08-CA-204544	8/17/2017

File an original of this charge with NLRB Regional Director in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT

a. Name of Employer Midwest Terminals of Toledo International, Inc.		b. Tel. No. 419-698-8171
		c. Cell No. 419-697-2715
d. Address (street, city, state ZIP code) 3518 Saint Lawrence Dr. Toledo, OH 43605-1079	e. Employer Representative Christopher Blakely, Human Resource Manager	f. Fax No. 419-697-2744
		g. e-Mail chris.blakely@mwti.com
		h. Dispute Location (City and State) TOLEDO, OH
i. Type of Establishment (factory, nursing home, hotel) Dock Warehouse	j. Principal Product or Service Stevedore	k. Number of workers at dispute location About 30

1. The above-named employer has engaged in and is engaging unfair labor practices within the meaning of section 8(a), subsections (1) (and list subsections) and (5) of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.

2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices)

Since on or February 18, 2017 the above-named Employer has interfered with, restrained and coerced employees in the free exercise of rights guaranteed by Section 7 of the Act.

Since on or about February 18, 2017, the Employer, through Terry Leach, and other Manager (Brad Hendrickd) threatened employees with Layoffs, no-hiring at shape-ups, and even termination in order to discourage employees from supporting the Union.

Since on or about February 18, 2017, the Employer bypassed the Union employees and hired directly, non-bargaining unit employees, at reduced wages and Fringe Benefits, and discouraged their union membership and/or benefits.

Since February 18, 2017, Terry Leach, Brad Hendricks, and other MWTTI managers and non-bargaining unit employees have unilaterally performed bargaining unit work without notifying the Union and/or without bargaining with the Union.

3. Full name of party filing charge (if labor organization, give full name, including local name and number)

International Longshoremen Association, Local 1982

4a. Address (street and number, city, state, and ZIP code)

**2300 Ashland Avenue
Suite 225
Toledo, OH 43620-1280**

AUG 17 2017

4b. Tel. No.

4c. Cell No.

216-210-2798

4d. Fax No.

989-423-0036

4e. e-Mail

acdvp@weyockey.com

5. Full name of national or international labor organization of which it is an affiliate or constituent unit (to be filled in when charge is filed by a labor organization)

International Longshoremen Association

6. DECLARATION

I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief.

By:

(signature of representative or person making charge)

**William Yockey, ILA Vice
President**

Print Name and Title

Date:

8/17/2017

Tel. No.

Cell No.

Same as above

Fax No. N/A

e-Mail

Address: same as above

FORM NLRB-501
(2-08)UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD
**FIRST AMENDED
CHARGE AGAINST EMPLOYER****DO NOT WRITE IN THIS SPACE**Case
08-CA-204544Date Filed
10/20/17**INSTRUCTIONS:**

File an original with NLRB Regional Director for the region in which the alleged unfair labor practice occurred or is occurring.

1. EMPLOYER AGAINST WHOM CHARGE IS BROUGHT			
a. Name of Employer Midwest Terminals of Toledo International, Inc.		b. Tel. No. 419-698-8171	
		c. Cell No. 419-697-2715	
d. Address (street, city, state, ZIP code) 3518 Saint Lawrence Drive Toledo, Ohio 43605-1079		e. Employer Representative Christopher Blakely, Human Resources Manager	
		f. Fax No. 419-697-2744	
		g. e-Mail chris.blakely@mwtti.com	
		h. Number of workers employed About 30	
i. Type of Establishment (factory, mine, wholesaler, etc.) Dock Warehouse		j. Identify principal product or service Stevedore	
k. The above-named employer has engaged in and is engaging in unfair labor practices within the meaning of section 8(a), subsections (1) and (list subsections) <u>(5)</u> of the National Labor Relations Act, and these unfair labor practices are practices affecting commerce within the meaning of the Act, or these unfair labor practices are unfair practices affecting commerce within the meaning of the Act and the Postal Reorganization Act.			
2. Basis of the Charge (set forth a clear and concise statement of the facts constituting the alleged unfair labor practices) Since on or about February 18, 2017, the Employer unilaterally changed its hiring practices by failing to bargain over the 2017 Order of Call and hiring new employees directly without consulting with the Union. Since on or about February 18, 2017, the Employer has directly dealt with bargaining unit employees by hiring them at reduced wages and fringe benefits, and by doing so, unilaterally changed employees' wages and benefits. Further, the Employer bypassed bargaining unit employees eligible to perform this work.			
3. Full name of party filing charge (if labor organization, give full name, including local name and number) International Longshoremen Association, Local 1982			
4a. Address (street and number, city, state, and ZIP code) 2300 Ashland Avenue Suite 225 Toledo, Ohio 43620-1280		4b. Tel. No. 4c. Cell No. 216-210-2798 4d. Fax No. 989-423-0036	
5. Full name of national or international labor organization of which it is affiliate or constituent unit (to be filled in when charge is filed by a labor organization) International Longshoremen Association			
6. DECLARATION I declare that I have read the above charge and that the statements are true to the best of my knowledge and belief. By <u>William E. Yockey</u> (signature of representative or person making charge) Address <u>same as above</u>		Tel. No. Office, if any Cell No. Same as above Fax No. e-Mail acdvp@weyockey.com	
		William Yockey, ILA Vice President (Print/type name and title or office, if any) 10/19/17 (date)	

WILLFUL FALSE STATEMENTS ON THIS CHARGE CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

PRIVACY ACT STATEMENT

Solicitation of the information on this form is authorized by the National Labor Relations Act (NLRA), 29 U.S.C. § 151 et seq. The principal use of the information is to assist the National Labor Relations Board (NLRB) in processing unfair labor practice and related proceedings or litigations. The routine uses for the information are fully set forth in the Federal Register, 71 Fed. Reg. 74942-43 (Dec. 13, 2006). The NLRB will further explain these uses upon request. Disclosure of this information to the NLRB is voluntary; however, failure to supply the information will cause the NLRB to decline to invoke its processes.